

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EMERIC L. SMITH,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 2:21-cv-01677-JDP (SS)

ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS AND
DIRECTING E-SERVICE

ECF No. 2

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed *in forma pauperis* and has submitted the affidavit required thereunder that demonstrates that plaintiff is unable to prepay fees and costs or give security for them. ECF No. 2. The court will therefore grant plaintiff's motion to proceed *in forma pauperis*.

Accordingly:

1. Plaintiff's motion to proceed *in forma pauperis*, ECF No. 2, is granted.
2. The Clerk of the Court is directed to issue a summons for this case.
3. In an action for judicial review filed by a single plaintiff solely against the Commissioner of Social Security Administration (defendant) that raise claims pursuant to 42 U.S.C. § 405(g) only, service on defendant shall proceed under the Court's E-Service program as

1 follows. Once a summons is issued, the Clerk of Court shall deliver to the Commissioner of
2 Social Security Administration and the United States Attorney's Office at their designated email
3 addresses a notice of electronic filing of the action along with the summons and complaint. The
4 Commissioner has agreed not to raise a defense of insufficient service of process if provided with
5 notice of a complaint as detailed in this order. This order is not intended to prevent parties from
6 making any other motions that are appropriate under the Federal Rules of Civil Procedure.

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8 IT IS SO ORDERED.

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10 Dated: September 16, 2021


11 JEREMY D. PETERSON
12 UNITED STATES MAGISTRATE JUDGE
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